THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 18163 of 2005

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DATED: 18.08.2005

Between:

Vanga Seethamma, W/o late Suryanarayana,

Aged 53 years, R/o Pydiparru Village,

Tanuku Mandal, West Godavari District.

..... PETITIONER

AND

The Mandal Revenue Officer, Tanuku

Mandal, West Godavari District.

.....RESPONDENT

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

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WRIT PETITION NO. 18163 of 2005

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ORDER:

This writ petition is filed seeking a writ of Mandamus declaring the action of the respondents in taking steps to dispossess the petitioner from the land admeasuring Ac.0-15 cents in R.S.No.97/4 of Pydiparru Village, Tanuku Mandal, West Godavari District, as illegal and arbitrary.

In affidavit, filed in support of the writ petition, the petitioner states that she inherited the above property from her late husband and since then she has been in

possession and enjoyment of the same. It is her case that originally, her father-in-law was issued D.Form patta for the said land as he was a political sufferer, who in turn, executed a will, dated 27.01.1983, bequeathing the above properties in favour of her husband. It is further alleged that on 18.06.2005, the respondent visited the said property and instructed her to resume the land on the ground that it is in nobody's possession. Immediately, she made a representation to the respondent informing that she has been in possession and enjoyment of the land in question eversince the date of inheritance from her husband and requested not to take possession of the said land under A.P. Assigned Lands (Prohibition of Transfer) Act, 1977. Now, the grievance of the petitioner is that the respondent having received her application has neither issued any notice nor passed any orders instead directed his sub-ordinates to see that no agricultural operations are carried out by her in the land in question.

Admittedly, the representation made by the petitioner to the respondent is pending consideration. Therefore, in view of the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition.

Accordingly, the writ petition is disposed of, at the stage of admission, directing the respondent not to dispossess the petitioner from the land admeasuring Ac.0.15 cents in R.S.No.97/4 of Pydiparru Village, Tanuku Mandal, West Godavari District, without following due process of law. No order as to costs.

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18.08.2005

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